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5514	7590	04/05/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			MOONEYHAM, JANICE A	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION**

1. This is in response to the applicant's communication filed on January 12, 2006, wherein:

Claims 1-9 are currently pending;

Claims 2-9 have been added;

Claim 1 is amended.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 3, 6, and 9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. It is not clear how the applicant can annotate data sets for storage onto a financial transaction instrument.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claims 2, 5, and 8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

What does the applicant mean by a **fixed** memory offset?

4. Claims 3, 6 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

What does the applicant mean by a plurality of data sets are annotated for storage onto a financial transaction instrument? What does the applicant define as a financial transaction instrument?

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jafri et al (5,832,454) (hereinafter referred to as Jafri).

Referring to Claim 1:

Jafri discloses a system for facilitating transaction among travel service suppliers and travel service buyers, the system comprising:

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an integrated travel network (Figures 1 and 2);

at least one Global Distribution System connected to the integrated travel network (Figure 2 (Worldspan, Systemone, Sabre, Apollo));

a travel broker database (reservation system software) connected to the integrated travel network, wherein the travel broker database is configured for access by travel service suppliers and the travel service buyers (Figure 2 Reservation System Databases);

a travel history database connected to the integrated travel network, wherein the travel history database is configured to store information about the transactions (Figure 2 information under User 1); and

at least one point of service terminal that is connected to the network and configured to access the broker database and the travel history database (Figure 1 (11)).

While Jafri discloses Gateway files which include files for establishing links to various CRSs, Jafri does not explicitly disclose wherein at least one of the broker database and the travel history database stores information in a plurality of data sets in a plurality of formats.

However, the Examiner takes Official Notice that it is old and well known to store files in a plurality of formats and that web portals or gateways are used for exchanging data and connecting networks using different communication protocols, especially electronic data by allowing communities to interchange data stored in remote

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repositories while allowing databases to use different formats. (As is evidence by the article on Documents, Data Information Retrieval and XML).

Therefore, it would have been obvious to one of ordinary skill in the arts at the time the of the invention to incorporate into the reservation system of Jafri the ability to access and store data in different formats so as to be able to exchange data with multiple business to business protocols, i.e., multiple CRSs or other reservation providers.

Referring to Claim 4:

Jafri discloses a method for facilitating transactions among travel service buyers, the method comprising the steps of:

providing an integrated travel network ((Figures 1 and 2) connected to at least one Global Distribution System (Figure 2 (Worldspan, Systemone, Sabre, Apollo)), a travel broker database (Figure 2 Reservation System Databases), a travel history database (Figure 2 information under User 1) and at least one point of service terminal (Figure 1 (11));

configuring the travel broker database to be accessible by the travel service suppliers and the travel service buyers (Reservation system software in Figure 2);

configuring the travel history database to store information about transactions (Figure 2 User 1).

While Jafri discloses Gateway files which include files for establishing links to various CRSs, Jafri does not explicitly disclose wherein at least one of the broker

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database and the travel history database stores information in a plurality of data sets in a plurality of formats.

However, the Examiner takes Official Notice that it is old and well known to store files in a plurality of formats and that web portals or gateways are used for exchanging data, especially electronic data that by allowing communities of interest to set and agree upon interchange of data stored in repositories that may use different formats as is evidence by the article on Documents, Data Information Retrieval and XML.

Therefore, it would have been obvious to one of ordinary skill in the arts at the time the of the invention to incorporate into the reservation system of Jafri the ability to access and store data in different formats so as to be able to exchange data with multiple business to business protocols, i.e., multiple CRSs and other reservation information providers.

Referring to Claims 2 and 5:

Jafri disclose a reservation system and method as set forth in claims 1 and 4. Jafri does not disclose wherein the plurality of data sets are stored as ungrouped data elements formatted as a block of binary via a fixed memory offset.

However, the Examiner takes Official Notice that it is old and well known to store a plurality of data sets as ungrouped data elements, as is evidenced by Memory Management (attached) formatted as a block of binary in a memory offset, as evidence by Documents, Data Information Retrieval & XML (attached).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the reservation system of Jafri the ability to store a

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plurality of data sets as ungrouped data elements formatted as a block of binary since it is an efficient way for making the most of storage space.

Referring to Claims 3, 6 and 9:

The Examiner is not clear what the applicant means by annotating the data set for storage into a financial transaction. However, the Examiner is addressing this limitation as best the Examiner understands it.

Jafri does not disclose wherein the plurality of data sets are annotated for storage onto a financial transaction instrument. However, memory offset annotation is defined as providing a number that identifies the memory region where the information is stored or retrieved (see attached definition).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate into the reservation method and system of Jafri an annotation to any financial transaction if the data is related to that transaction and the data is needed to fulfill the transaction.

5. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jafri in view of Wisner et al (6,944, 133).

Referring to Claim 7:

Jafri discloses an integrated travel industry system comprising:  
an integrated travel network (Figures 1 and 2);

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a plurality of centralized hub sites in communication with said network (col. 4, lines 24-30), wherein each of said plurality of centralized hub sites comprises a network connection (Figures 1 and 2; Col. 3, lines ), a transport mechanism (Figures 1 and 2);

a plurality of global distribution Systems connected to each of the plurality of centralized hub sites, wherein the data center of each of the plurality of centralized hub sites is configured to store a database for each of the plurality of GDSs (Figure 2);

a remote site (Figure 1 (11) connected to the network comprising a service terminal connected to at least one of the plurality of centralized hub sites of the network of the network, the point of service terminal configured to access each GDS (Figures 1 and 2);

the point of service terminal comprising a user interface configured to allow simultaneous access to the GDSs (Figure 2) and a customer service application tier having a low fare search module (Figure 4C best Fare (S447); col. 5, line 61 thru col. 6, line 2), a passenger name record database (col. 6, lines 23-32), a customer database (col. 6, lines 5-21), a trip planning module (Figure 2; col. 6, lines 46-47; Figure 4B Step S427 Itinerary Building stage); a workflow module (software that runs the reservation system; col. 7, lines 10-12).

While Jafri discloses Gateway files which include files for establishing links to various CRSs, Jafri does not explicitly disclose wherein at least one of the broker database and the travel history database stores information in a plurality of data sets in a plurality of formats.

However, the Examiner takes Official Notice that it is old and well known to store files in a plurality of formats and that web portals or gateways are used for exchanging data, especially electronic data that by allowing communities of interest to set and agree upon interchange of data stored in repositories that may use different formats as is evidence by the article on Documents, Data Information Retrieval and XML.

Therefore, it would have been obvious to one of ordinary skill in the arts at the time the of the invention to incorporate into the reservation system of Jafri the ability to access and store data in different formats so as to be able to exchange data with multiple business to business protocols, i.e., multiple CRSs or other reservation providers.

Jafri does not disclose a central hub with redundant data center. However, Wisner teaches central hub sites with a redundant data center.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the reservation system disclosed in Jafri the redundant data center disclosed in Wisner for data stability.

Referring to Claim 8:

Jafri disclose a reservation system an method as set forth in claim one. Jafri does not disclose wherein the plurality of data sets are stored as ungrouped data elements formatted as a block of binary via a fixed memory offset.

However, the Examiner takes Official Notice that it is old and well known to store a plurality of data sets as ungrouped data elements, as is evidenced by Memory Management (attached) formatted as a block of binary in a memory offset, as evidence by Documents, Data Information Retrieval & XML (attached).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate into the reservation system of Jafri the ability to store a plurality of data sets as ungrouped data elements formatted as a block of binary since it is an efficient way for making the most of storage space.

Referring to Claim 9:

The Examiner is not clear what the applicant means by annotating the data set for storage into a financial transaction. However, the Examiner is addressing this limitation as best the Examiner understands it.

Jafri does not disclose wherein the plurality of data sets are annotated for storage onto a financial transaction instrument. However, memory offset annotation is defined as provides a number that identifies the memory region where the information is stored or retrieved (see attached definition).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate into the reservation method and system of Jafri an annotation to a financial transaction if the data is related to that transaction and the data is needed to fulfill the transaction.

### *Double Patenting*

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claim 7 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1, 8 and 11 of copending Application No. 10/217,666. Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

an integrated travel network;

a plurality of centralized hub site in communication with said network, wherein each of said plurality of centralized hub sites comprises a network connection, a transport mechanism and a redundant data center;

a plurality of global distribution Systems connected to each of the plurality of centralized hub sites, wherein the data center of each of the plurality of centralized hub sites is configured to store a database for each of the plurality of GDSs;

a remote site connected to the network comprising a service terminal connected to at least one of the plurality of centralized hub sites of the network of the network, the point of service terminal configured to access each GDS;

the point of service terminal comprising a user interface configured to allow simultaneous access to the GDSs and a customer service application tier having a low fare search module, a super passenger name record database, a customer database, a trip planning module a customer relationship module.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. Claims 1 and 4 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/908,544. Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced

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copending application and the instant application are claiming common subject matter, as follows:

an integrated travel network

a travel broker database connected to the integrated travel network, wherein the travel broker database is configured for access by travel service suppliers and the travel service buyers

a travel history database connected to the integrated travel network, wherein the travel history database is configured to store information about the transactions and

at least one point of service terminal that is connected to the network and configured to access the broker database and the travel history database.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

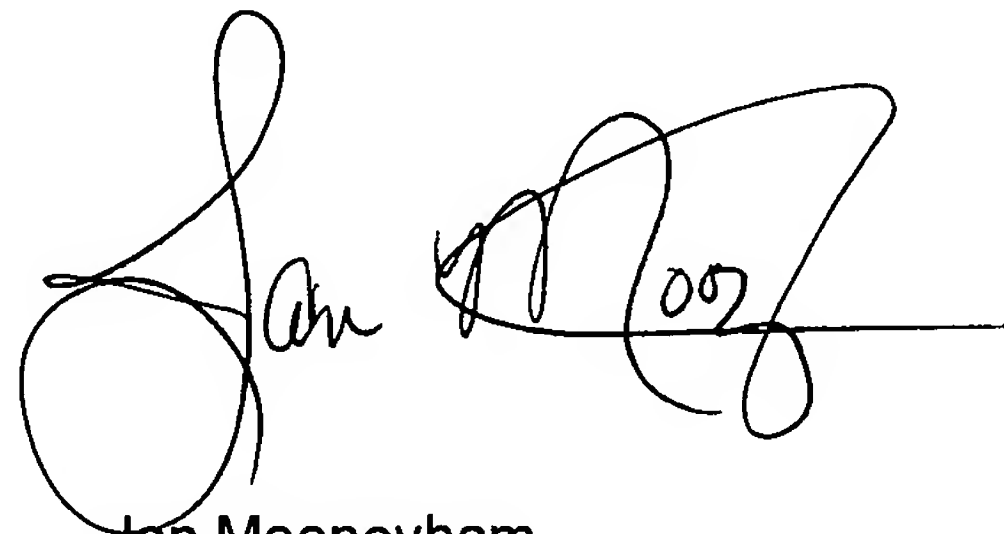
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Jan Mooneyham', with a large circular flourish on the left and a horizontal line extending to the right.

Jan Mooneyham  
Patent Examiner  
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